

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTINA DAVIDSON,

Plaintiff,

Case No. 04-74392

v.

District Judge
Arthur J. Tarnow

ZURICH AMERICAN INSURANCE
COMPANY,

Defendant.

**ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT OF
LIABILITY [DE 30; DE 35]; GRANTING IN PART DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT [DE 31] AND GRANTING DEFENDANT'S MOTION IN
LIMINE TO BAR REFERENCE TO INSURANCE POLICY LIMITS AT TRIAL [DE 31]**

Before the Court are Plaintiff's motion for summary judgment, Defendant's motion for summary judgment, and Defendant's motion in limine to bar reference to insurance policy limits at trial. For the reasons stated on the record at the motion hearing on June 28, 2006,

IT IS HEREBY ORDERED that Plaintiff's motion for summary judgment of liability is GRANTED.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment is GRANTED as to Plaintiff's tortious breach of contract/wrongful failure to settle claim and DENIED as to Plaintiff's breach of contract claim.

IT IS FURTHER ORDERED that Defendant's motion in limine to bar reference to the insurance coverage limits at trial is GRANTED.

IT IS FURTHER ORDERED that the jury will not have to decide whether or not Plaintiff has suffered a serious impairment of a body function and that the only issue to be litigated at trial is the extent of Plaintiff's damages

IT IS FURTHER ORDERED that the parties shall submit a stipulated set of jury

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instructions to the Court prior to the Final Pretrial Conference, which is currently scheduled for August 3, 2006.

SO ORDERED.

s/Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: June 30, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 30, 2006, by electronic and/or ordinary mail.

s/Theresa E. Taylor
Case Manager

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